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**SUPPLEMENTAL
DECLARATION FOR UTILITY
OR DESIGN
PATENT APPLICATION
(37 CFR 1.67)**

| | |
|------------------------|------------------|
| Attorney Docket Number | 000166.0075-US03 |
|------------------------|------------------|

| | |
|----------------------|----------------|
| First Named Inventor | Shawn L. Lyons |
|----------------------|----------------|

COMPLETE IF KNOWN

| | |
|--------------------|------------------------|
| Application Number | 10/355,061-Conf. #1094 |
|--------------------|------------------------|

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|-------------|------------------|
| Filing Date | January 31, 2003 |
|-------------|------------------|

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| Art Unit | 1711 |
|----------|------|

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|---------------|-----------|
| Examiner Name | S. Acquah |
|---------------|-----------|

I hereby declare that:

Each inventor's residence, mailing address, and citizenship are as stated below next to their name.

I believe the inventor(s) named below to be the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

APPARATUS AND METHOD FOR PREPARING MICROPARTICLES

(Title of the invention)

the specification of which

☐ is attached hereto

OR

☒ was filed on (MM/DD/YYYY) **01/31/2003** as United States Application Number or PCT International

Application Number **10/355,061** and was amended on (MM/DD/YYYY) **7/30/2003**

I hereby declare that the subject matter of the ☐ attached amendment

☒ amendment filed on **07/30/2003**

was part of the invention and was invented before the filing date of the original application, above identified for such invention.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365 (a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent, inventor's or plant breeder's rights certificate(s), or of any PCT international application having a filing date before that of the application on which priority is claimed.

| Prior Foreign Application Number(s) | Country | Foreign Filing Date (MM/DD/YYYY) | Priority Not Claimed | Certified Copy Attached? | |
|---|---------|-------------------------------------|--------------------------|--------------------------|--------------------------|
| | | | | YES | NO |
| | | | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| | | | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| | | | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| | | | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

☐ Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.

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SUPPLEMENTAL DECLARATION — UTILITY OR DESIGN PATENT APPLICATIONDirect all correspondence to: ☒ Customer Number: 26853 OR ☐ Correspondence address below

Name

Address

City

State

ZIP

Country

Telephone

Fax

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

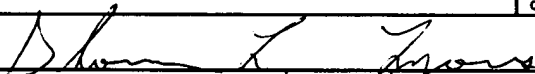
Name of Sole or First Inventor:

☐ A petition has been filed for this unsigned inventorGiven
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Family Name
or Surname

Lyons

Inventor's
SignatureDate 11/6/03

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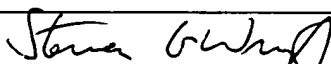
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United States of America
Country☐ Additional inventors or a legal representative are being named on the _____ supplemental sheet(s) PTO/SB/02A or 02LR attached hereto.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

LYONS *et al.*

Appl. No.: 09/438,659

Filed: November 12, 1999

For: **Apparatus and Method for
Preparing Microparticles**

Group Art: 1711

Examiner: Unassigned

Atty. Docket: 00166.0075.US00

**Revocation of Prior Power of Attorney and
Appointment of New Attorneys of Record**

Commissioner for Patents
Washington, D.C. 20231

Sir:

Alkermes Controlled Therapeutics Inc. II is the assignee of the entire right, title and interest in the above-captioned application by virtue of the Assignment, recorded November 12, 1999 at the U.S. Patent and Trademark Office at Reel 010396, Frame 0299. The undersigned, having express authority to represent Alkermes Controlled Therapeutics Inc. II, hereby revokes all powers of attorney heretofore given in the above-captioned application and appoints the attorneys listed below with full power of substitution, association, and revocation, to prosecute said application and to transact all business in the U.S. Patent and Trademark Office connected therewith.

Paul J. Berman, Reg. No. 36,744
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Direct Phone calls to Andrea G. Reister at (202-662-5141).

FOR: **Alkermes Controlled Therapeutics Inc. II**

SIGNATURE: James M. Frates

BY: James M. Frates

TITLE: Vice President

DATE: 9/15/00

STATEMENT UNDER 37 CFR 3.73(b)

Applicant/Patent Owner: Shawn L. Lyons, et al.

Application No./Patent No.: 10/355,061

Filed/Issue Date: January 31, 2003

Entitled: APPARATUS AND METHOD FOR PREPARING MICROPARTICLES

Alkermes Controlled Therapeutics Inc. II
(Name of Assignee)

Corporation
(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of less than the entire right, title and interest.
The extent (by percentage) of its ownership interest is _____ %

in the patent application/patent identified above by virtue of either:

A. ☒ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel 010396, Frame 0299, or for which a copy thereof is attached.

OR

B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.
2. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.
3. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

☐ Copies of assignments or other documents in the chain of title are attached.
[NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

30 July 2003
Date

617-583-6165
Telephone Number

Claire M. Vasios, Ph.D.
Typed or printed name

Claire M. Vasios
Signature

Vice President, Intellectual Property
Title